

Listing of Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-112 (canceled)

113. (previously added) A method of making a soluble botulinum toxin comprising:

expressing a botulinum toxin from a prokaryotic expression vector comprising a botulinum toxin nucleotide sequence in a prokaryotic host cell wherein the prokaryotic expression vector includes a weak promoter relative to a T7 promoter thereby making a soluble botulinum toxin.

114. (previously added) The method of claim 113 wherein the prokaryotic host cell is *E. coli*.

115. (previously added) The method of claim 114 wherein the *E. coli* is strain BL21(DE3).

116. (previously added) The method of claim 115 wherein a pLys gene is included in the host cell.

117. (previously added) The method of claim 116 wherein the pLys gene is plasmid encoded.

118. (previously added) The method of claim 113 wherein the weak promoter is an inducible promoter.

119. (previously added) The method of claim 118 wherein the inducible promoter is a T7 promoter in which expression is repressed.

120. (previously added) The method of claim 119 wherein the inducible promoter is a T7lac promoter.

121. (previously added) The method of claim 113 wherein the host cell includes a lacIq gene.

122. (previously added) The method of claim 113 wherein the botulinum toxin is type A.

123. (previously added) The method of claim 113 wherein the botulinum toxin is selected from the group consisting of type B, C, D, E, F and G.

124. (previously added) The method of claim 113 wherein the botulinum toxin nucleotide sequence specifically hybridizes under highly stringent conditions to SEQ ID NO:27.

Claims 125-134 (withdrawn)